

§ 401.400

service pursuant to section 4(a) of the Great Lakes Pilotage Act of 1960 (46 U.S.C. 216 through 216i) and his agreement executed on the Application for Registration as a U.S. Registered Pilot, and may be subject to suspension or revocation proceedings as prescribed by § 401.250.

[26 FR 9647, Oct. 12, 1961, as amended at 31 FR 9066, July 1, 1966; 32 FR 14221, Oct. 13, 1967; CGD 74-233, 40 FR 41527, Sept. 8, 1975. Redesignated and amended at 61 FR 32655, June 25, 1996, and further redesignated and amended by USCG-1998-3976, 63 FR 35139, 35140, June 29, 1998]

Subpart D—Rates, Charges, and Conditions for Pilotage Services

§ 401.400 Calculation of pilotage units and determination of weighting factor.

The equivalent pilotage unit number and appropriate weighting factor for each ship shall be computed by utilizing the following formula and table:

(a) Pilotage unit computation:

Pilot Unit = $(\text{Length} \times \text{Breadth} \times \text{Depth}) / 283.17$ (measured in meters)

Pilot Unit = $(\text{Length} \times \text{Breadth} \times \text{Depth}) / 10,000$ (measured in feet)

(b) Weighting factor table:

| Range of pilotage units | Weighting factor |
|-------------------------|------------------|
| 0 to 129 | 1.00 |
| 130 to 159 | 1.15 |
| 160 to 189 | 1.30 |
| 190 and over | 1.45 |

(c) The charge for pilotage service is obtained by multiplying the weighting factor, obtained from paragraph (b) of this section by the appropriate basic rate specified in §§ 401.405, 401.407, 401.410, 401.420 and 401.425.

[CGFR 70-29a, 35 FR 10434, June 26, 1970, as amended by CGD 81-088; 47 FR 13808, Apr. 1, 1982; CGD 84-089, 50 FR 7178, Feb. 27, 1985. Redesignated and amended at 61 FR 32655, June 25, 1996; 62 FR 5922, Feb. 10, 1997. Redesignated and amended by USCG-1998-3976, 63 FR 35139, 35140, June 29, 1998]

46 CFR Ch. III (10-1-08 Edition)

§ 401.405 Basic rates and charges on the St. Lawrence River and Lake Ontario.

Except as provided in § 401.420, the following basic rates are payable for all services and assignments performed by U.S. registered pilots in the St. Lawrence River and Lake Ontario.

(a) Area 1 (Designated Waters):

| Service | St. Lawrence River |
|---------------------------|---|
| Basic Pilotage | \$14 per Kilometer or \$25 per mile. ¹ |
| Each Lock Transited | \$310. ¹ |
| Harbor Morage | \$1,016. ¹ |

¹ The minimum basic rate for assignment of a pilot in the St. Lawrence River is \$678, and the maximum basic rate for a through trip is \$2,976.

(b) Area 2 (Undesignated Waters):

| Service | Lake Ontario |
|----------------------------|--------------|
| Six-Hour Period | \$517 |
| Docking or Undocking | 493 |

[62 FR 5922, Feb. 10, 1997. Redesignated and amended by USCG-1998-3976, 63 FR 35139, 35140, June 29, 1998; USCG 1999-6098, 66 FR 36489, July 12, 2001; USCG-2002-11288, 68 FR 69577, Dec. 12, 2003; USCG-2002-11288, 70 FR 12103, Mar. 10, 2005; USCG-2002-11288, 71 FR 16517, Apr. 3, 2006; USCG-2006-24414, 72 FR 8131, Feb. 23, 2007; USCG-2007-0039, 73 FR 15095, Mar. 21, 2008]

§ 401.407 Basic rates and charges on Lake Erie and the navigable waters from Southeast Shoal to Port Huron, MI.

Except as provided in § 401.420, the following basic rates are payable for all services and assignments performed by U.S. registered pilots on Lake Erie and the navigable waters from Southeast Shoal to Port Huron, MI.

(a) Area 4 (Undesignated Waters):

| Service | Lake Erie (East of Southeast Shoal) | Buffalo |
|---|--|---------|
| Six-Hour Period | \$695 | \$695 |
| Docking or Undocking | 536 | 536 |
| Any Point on the Niagara River below the Black Rock Lock ... | N/A | 1,368 |

(b) Area 5 (Designated Waters):

Coast Guard (Great Lakes Pilotage), DHS**\$ 401.420**

| Any point on or in | Southeast Shoal | Toledo or any point on Lake Erie west of Southeast Shoal | Detroit River | Detroit Pilot Boat | St. Clair River |
|---|--------------------|--|---------------|--------------------|-----------------|
| Toledo or any port on Lake Erie west of Southeast Shoal | \$1,835 | \$1,084 | \$2,382 | \$1,835 | N/A |
| Port Huron Change Point | ¹ 3,195 | 3,702 | 2,400 | 1,867 | 1,327 |
| St. Clair River | ¹ 3,195 | N/A | 2,400 | 2,400 | 1,084 |
| Detroit or Windsor or the Detroit River | 1,835 | 2,382 | 1,084 | N/A | 2,400 |
| Detroit Pilot Boat | 1,327 | 1,835 | N/A | N/A | 2,400 |

¹ When pilots are not changed at the Detroit Pilot Boat.

[62 FR 5922, Feb. 10, 1997. Redesignated by USCG-1998-3976, 63 FR 35139, June 29, 1998; USCG 1999-6098, 66 FR 36489, July 12, 2001; USCG-2002-12840, 67 FR 47466, July 19, 2002; USCG-2002-11288, 68 FR 69577, Dec. 12, 2003; USCG-2002-11288, 70 FR 12103, Mar. 10, 2005; USCG-2002-11288, 71 FR 16517, Apr. 3, 2006; USCG-2006-24414, 72 FR 8131, Feb. 23, 2007; 72 FR 13352, Mar. 21, 2007; USCG-2007-0039, 73 FR 15095, Mar. 21, 2008]

§ 401.410 Basic rates and charges on Lakes Huron, Michigan and Superior and the St. Mary's River.

Except as provided in § 401.420, the following basic rates are payable for all services and assignments performed by U.S. registered pilots on Lakes Huron, Michigan, and Superior and the St. Mary's River.

(a) Area 6 (Undesignated Waters):

| Service | Lakes Huron and Michigan |
|----------------------------|--------------------------|
| Six-Hour Period | \$519 |
| Docking or Undocking | 493 |

(b) Area 7 (Designated Waters):

| Area | De Tour | Gros Cap | Any Harbor |
|---|---------|----------|------------|
| Gros Cap | \$1,853 | N/A | N/A |
| Algoma Steel Corporation Wharf at Sault Ste. Marie Ontario | 1,853 | \$698 | N/A |
| Any point in Sault Ste. Marie, Ontario, except the Algoma Steel Corporation Wharf | 1,553 | 698 | N/A |
| Sault Ste. Marie, MI | 1,553 | 698 | N/A |
| Harbor Movage | N/A | N/A | \$698 |

(c) Area 8 (Undesignated Waters):

| Service | Lake Superior |
|----------------------------|---------------|
| Six-Hour Period | \$503 |
| Docking or Undocking | 478 |

[62 FR 5923, Feb. 10, 1997. Redesignated and amended by USCG-1998-3976, 63 FR 35139, 35140, June 29, 1998; USCG 1999-6098, 66 FR 36490, July 12, 2001; USCG-2002-11288, 68 FR 69578, Dec. 12, 2003; USCG-2002-11288, 70 FR 12103, Mar. 10, 2005; USCG-2002-11288, 71 FR 16518, Apr. 3, 2006; USCG-2006-24414, 72 FR 8131, Feb. 23, 2007; USCG-2007-0039, 73 FR 15095, Mar. 21, 2008]

§ 401.420 Cancellation, delay or interruption in rendition of services.

(a) Except as provided in this section, whenever the passage of a ship is interrupted and the services of a U.S. pilot are retained during the period of the interruption or when a U.S. pilot is de-

tained on board a ship after the end of an assignment for the convenience of the ship, the ship shall pay an additional charge calculated on a basic rate of \$93 for each hour or part of an hour during which each interruption or detention lasts with a maximum basic rate of \$1,459 for each continuous 24-hour period during which the interruption or detention continues. There is no charge for an interruption or detention caused by ice, weather or traffic, except during the period beginning the 1st of December and ending on the 8th of the following April. No charge may be made for an interruption or detention if the total interruption or detention ends during the 6-hour period for which a charge has been made under §§ 401.405 through 401.410.

(b) When the departure or movage of a ship for which a U.S. pilot has been